

## REMARKS

The Examiner's attention to the application is appreciated. Reconsideration is respectfully requested. Claims 1-96 are now pending in the application.

### Support for Clarifying Claim Amendments

Independent Claim 1 is amended to delete the word "temporarily" in line 1. Support for the removal of this limitation is found throughout the specification, including in Paragraphs 11 and 35. No new matter has been added to the claims.

Independent Claims 1 and 46 are amended to clarify in step (b) introducing an "aqueous treating fluid containing the water-soluble formation permeability reducing agent into the one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore so that the permeabilities and flows of water or water and hydrocarbons or hydrocarbons therefrom are reduced." Support for this amendment is found throughout the specification, including paragraphs 3, 10, and 11. No new matter has been added to the claims.

New dependent claims 94-96 are supported by the disclosure and originally-filed claims 6, 24, and 39, respectively. No new matter has been added to the claims.

### Response to Claim Objections

Claims 20 and 81 were objected to because each was missing a period at the end of the claim. Claims 20 and 81 have been amended to correct this technical formality.

Claim 20 was objected to for lacking antecedent basis for the limitation "the first aqueous treating fluid." Claim 20 has been amended to delete the word "first" to correct this technical error.

Claim 20 was objected to under 37 CFR 1.75(c) as being of improper dependent form, and more particularly, for being written with the same limitation as Claim 2. This rejection is respectfully traversed. Claim 2 includes a limitation directed to the amount of “*hydrophobically* modified water-soluble polymer” in the treatment fluid (*emphasis added*). Claim 20 includes a limitation directed to the amount of “*hydrophilically* modified water-soluble polymer” in the treatment fluid (*emphasis added*). Reconsideration of this rejection is respectfully requested, as the claim limitations are different.

### **Response to Claim Rejections**

Claims 1-11, 12-14, 16-17, 20-30, 32, 36-39, 41-55, 57-59, 61-62, 65-75, 77, 81-84, and 86-90 were rejected under 35 U.S.C. 102(b) as being anticipated by Weaver et al. (U.S. Patent No. 4,532,052). Independent Claims 1 and 46 have been amended to clarify that in step (b) introducing the “aqueous treating fluid containing the water-soluble formation permeability reducing agent into the one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore so that the permeabilities and flows of water or water and hydrocarbons or hydrocarbons therefrom are reduced.” It is respectfully noted that Weaver et al. does not teach or suggest the invention as claimed including the step regarding introducing an aqueous treating fluid into “one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore.” Reconsideration of this rejection is respectfully requested.

Claims 15, 18, 60, and 63 were rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver et al. in view of Eoff et al. (U.S. Patent No. 6,497,283). It is respectfully argued that neither Weaver et al. nor Eoff et al. teach or suggest, separately or in combination, the invention as claimed including the step regarding introducing an aqueous treating fluid into

“one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore.” Reconsideration of this rejection is respectfully requested.

Claims 40 and 85 were rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver et al. in view of Heier et al. (U.S. Patent No. 6,380,137). It is respectfully argued that neither Weaver et al. nor Heier et al. teach or suggest, separately or in combination, the invention as claimed including the step regarding introducing an aqueous treating fluid into “one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore.” Reconsideration of this rejection is respectfully requested.

Claims 91-93 were rejected under 35 U.S.C. 103(a) as being unpatentable over Weaver et al. in view of Chang et al. (U.S. Patent No. 4,708,974). It is respectfully argued that neither Weaver et al. nor Chang et al. teach or suggest, separately or in combination, the invention as claimed including the step regarding introducing an aqueous treating fluid into “one or more selected sections of the subterranean formation closest to the heel of the horizontal wellbore.” Reconsideration of this rejection is respectfully requested.

New dependent claims 94-96 are supported by the disclosure and originally-filed claims 6, 24, and 37, respectively. It is respectfully argued that new dependent claims 94-96 are separately and independently patentable over claims 6, 24, and 37 in that the specific subject matter of the inventions defined by each of the new dependent claims 94-96 is not taught or suggested by the references cited against claims 6, 24, and 39.

### **Allowable Subject Matter**

Claims 19, 31, 33-35, 64, 76, and 78-80 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the clarifying

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amendment to independent claims 1 and 46, which are believed to place the independent claims in conditions for allowance, the dependent claims 19, 31, 33-35, 64, 76, and 78-80 should now be in condition for allowance.

### **Conclusion**

It is believed that claims 1-96 are in condition for allowance, and such action is respectfully requested.

If a telephone interview would expedite the prosecution of this application, the undersigned can normally be reached at the telephone number given below.

The Commissioner of Patents is hereby authorized to charge any fees or overpayments to Deposit Account No. 08-0300. A duplicate copy of this fee authorization sheet is enclosed for this purpose.

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Respectfully submitted,



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